

## **Remarks**

In the present response, claims 1 – 32 are presented for examination.

### **I. Claim Rejections: 35 USC § 101**

Claims 1-2, 4-8, and 21-27 are rejected under 35 USC § 101 as being directed to non-statutory subject matter. Applicant respectfully asserts that these rejections are moot. Claim 1 is amended to recite positively performing an action to correct the problem. Claim 21 is amended to recite the preamble acknowledged as being allowable by the Federal Circuit, see *In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995).

### **II. Claim Rejections: 35 USC § 112**

Claim 21 is rejected under 35 USC § 112 second paragraph, as being indefinite. Applicant respectfully asserts that this rejection is moot in view of the amended preamble in claim 21.

### **III. Claim Rejections: 35 USC § 102(e)**

Claims 13 and 28 are rejected under 35 USC § 102(e) as being anticipated by US publication number 20050076281 (Kojima). Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Kojima neither teaches nor suggests each element in the claims, these claims are allowable over Kojima.

Claim 13 recites numerous recitations that are not taught or even suggested in Kojima. By way of example, claim 13 recites “an action rules database that specifies possible corrective actions for correcting a problem associated with the alert, wherein the parser consults the database to select one or more of the corrective actions.” Kojima does not teach these elements.

Claim 28 recites numerous recitations that are not taught or even suggested in Kojima. By way of example, claim 28 recites:

means for identifying actions to correct problems associated with the alert messages;

means for automatically performing the actions to correct the problems when an operator is not required to make a decision for correcting the problems; and

means for sending the actions to correct the problems to the operator when the operator is required to make a decision for correcting the problems.

Kojima does not teach these elements.

#### **IV. Claim Rejections: 35 USC § 103**

Claims 1-12, 14-17, and 29-32 are rejected under 35 USC § 103(a) as being unpatentable over Kojima in view of USPN 7,095,321 (Primm). This rejection is traversed.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. For at least the following reasons, Applicant asserts that the rejection does not satisfy these criteria.

The independent claims are amended to recite elements that are not taught or suggested in Kojima in view of Primm. By way of example, claim 1 recites the following:

identifying an action required to correct a problem associated with the alert in response to the identified state of the device;

performing one of (1) automatically performing the action to correct the problem without approval from an operator of the SAN

and (2) notifying the operator to perform the action to correct the problem.

In Primm, when an alert occurs, an email or other notification is sent to a user. Primm never teaches that the system identifies an action required to correct the problem. Further, Primm never teaches that the system automatically performs the action to correct the problem. As taught in Primm, the action handler provides email notification, audio output telephonic output, or pager output (see col. 9, lines 58-63 and discussion at column 10).

Primm does discuss determining what alert actions should be applied (example, see 12: 34-36). These alert action, however, are not actions “required to correct the problem.” Instead, the alert actions in Primm merely notify the user, not provide the user with an action to correct the alert.

For at least these reasons, Applicants respectfully ask the Examiner to withdraw the current rejections.

### **CONCLUSION**

In view of the above, Applicant believes that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

/Philip S. Lyren #40,709/

Philip S. Lyren  
Reg. No. 40,709  
Ph: 832-236-5529